

KOBRE & KIM

800 THIRD AVENUE
NEW YORK, NEW YORK 10022
WWW.KOBREKIM.COM
TEL +1 212 488 1200

December 30, 2021

BY ECF

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

RE: *SingularDTV GmbH v. LeBeau, et al.*, No. 1:21-cv-10130 (VEC)

Dear Judge Caproni:

We write on behalf of both Plaintiff and Defendants in the above-captioned action regarding the hearing currently scheduled for January 5, 2022 on Plaintiff's Motion for Order To Show Cause Why Preliminary Injunction Should Not Issue And, In The Interim, Temporary Restraining Order (ECF No. 12) (the "Motion").

The Parties are actively discussing a resolution to the Motion and respectfully request some additional time to discuss and finalize the details of such potential resolution, which would obviate the need for the hearing. In addition, a close member of Mr. Postrygacz's family with whom he resides has recently tested positive for COVID-19 and therefore, the Court's December 22, 2021 COVID-19 Protocols Following Symptoms or Exposure to COVID-19 will prohibit him from entering the courthouse on January 5, 2022.

As such, the Parties respectfully request to adjourn the hearing and extend the Court's Temporary Restraining Order (ECF Nos. 21, 25) for 14 days or for such additional time as the Court's schedule permits while the Parties continue to actively work toward a resolution to the Motion. A Proposed Order to this effect is attached hereto as **Exhibit A**.

Thank you for the Court's time and attention to this matter.

Respectfully Submitted,

/s/ Benjamin J. A. Sauter
Benjamin J. A. Sauter
benjamin.sauter@kobrekim.com

KOBRE & KIM LLP

Attorneys for Plaintiff
SingularDTV GmbH